

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|------------------|---|---------------------|
| JOURDEAN LORAH, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civ. No. 06-538-SLR |
| |) | |
| TETRA TECH INC., |) | |
| |) | |
| Defendant. |) | |

O R D E R

At Wilmington, this ~~20th~~ day of September, 2006;

IT IS ORDERED:

1. Plaintiff's motion to request appointed counsel (D.I. 3) is denied without prejudice with leave to renew following service of the complaint. See Ray v. Robinson, 640 F.2d 474, 477 (3d Cir. 1981) (a pro se litigant proceeding in forma pauperis, has no constitutional or statutory right to representation by counsel); Parham v. Johnson, 126 F.3d 454, 456-57 (3d Cir. 1997).

2. Pursuant to Fed. R. Civ. P. 4(c)(2) and (d)(2), plaintiff shall complete and return to the clerk of the court an **original "U.S. Marshal-285" form for the defendant. Plaintiff shall also provide the court with a copy of the complaint (D.I. 2) for service upon the defendant. Plaintiff is notified that the United States Marshal will not serve the complaint until the "U.S. Marshal 285" form has been received by the clerk of the court. Failure to provide the "U.S. Marshal 285" form and a copy of the complaint for defendant within 120 days from the date of**

this order may result in the complaint being dismissed or defendant being dismissed pursuant to Federal Rule of Civil Procedure 4(m) .

3. Upon receipt of the completed "U.S. Marshal 285" form(s) and copies of the complaint, the United States Marshal shall serve a copy of the complaint and this order upon defendant as directed by plaintiff. All costs of service shall be advanced by the United States.

4. No communication, including pleadings, briefs, statement of position, etc., will be considered by the court in this civil action unless the documents reflect proof of service upon the parties or their counsel.


UNITED STATES DISTRICT JUDGE